(a) whether the Chief Justice of India has stressed the need to introduce more Lok Adalats in various courts to meet the challenge of pending cases;

(b) if so, the details thereof;

(c) whether the number of cases in courts are increasing and if so, how many cases have been disposed off during the last year; and

(d) the other strategy to be adopted by Government to clear the pending cases within a bound time/period?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) Yes, Sir. Hon'ble Chief Justice of India has time and again stressed the need for organizing more and more Lok Adalats by State Legal Services Authorities in reducing the Pendency of cases in High Courts and Lower Courts. Lok Adalats have also been organized in the Supreme Court w.r.t. pending cases in the Supreme Court, Organizing Lok Adalats is a continuing process and by very nature of the purposes of holding Lok Adalats, the same are need based.

(c) Yes, Sir. During the calender year 2007, about 67,050 Lok Adalats have been organized in which about 23,83,100 cases have been disposed off.

(d) National Legal Services Authority is taking steps to promote Alternative Dispute Resolution Mechanism which aims at expeditious settlement of disposed of disputes at pre-litigative and post litigative stages through various strategies such as Lok Adalats, Arbitration, conciliation, mediation and judicial settlement. As a part of the settlement of cases through mediation and conciliation centers, ADR centers are being set up in all the High Courts and in selective districts of the States in the country. And also, Plea Bargaining and Section 89 of the Civil Procedure Code have been introduced for strengthening ADR mechanism.

Non-functional benches of High Courts

†225. SHRI JAI PARKASH AGGARWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether benches of some High Courts in the country are non-functional;

(b) if so, the number of such benches, as on date, High Courts-wise;

(c) whether it is a fact that Government has received memoranda/requests for establishment of some High Court benches in the country during the last few years;

(d) if so, the details thereof;

(e) for which High Court benches, Government has received applications to make them functional again; and

(f) the action taken by Government in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

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†Original notice of the question was received in Hindi.

(b) Does not arise.

(c) and (d) Setting up of a bench of a High Court is considered only if a complete proposal in terms of Section 51(2) of the States Reorganisation Act, 1956 is received from the State government concerned, including the consent of the Chief Justice of the High Court and the Governor of the State and also if it satisfies the broad guidelines and criteria recommended by the Jaswant Singh Commission. Memoranda/Requests have been received from time to time from various sources for establishment of Benches of the Allahabad, Andhra Pradesh, Calcutta, Karnataka, Kerala, Madhya Pradesh, Gujarat, and Orissa High Courts at various locations. However, no complete proposal has been received from any State Government except West Bengal. The Government of West Bengal had proposed to set up a Circuit Bench of the Calcutta High Court at Jalpaiguri, which has been approved. Government of West Bengal is, however, yet to provide infrastructural facilities at Jalpaiguri to the satisfaction of the Chief Justice, Calcutta High Court. A proposal for establishing a Bench of Kerala High Court at Thiruvananthapuram has also been received but the views of the Governor of Kerala in terms of Section 51(2) of the States Reorganisation Act, 1956 have not been received yet.

(e) and (f) Do not arise in view of reply to part (a).

Changes in judicial system

†226. SHRI MANOHAR JOSHI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the judicial system in the country is deteriorating day by day;

(b) whether it is also a fact that common people are losing faith in the judicial system;

(c) whether hearing of cases is not held on time;

(d) if so, whether Government proposes to take any steps to make the present judicial system effective;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) No, Sir.

(c) Hearing of cases is done by the Courts depending on a number of factors such as status of the case, workload etc.

(d) to (f) Government is conscious of the need to speed up the justice delivery system to reduce the huge backlog of cases in courts and to ensure provision of quick and affordable justice to the people. Government is implementing a Centrally Sponsored plan scheme for

†Original notice of the question was received in Hindi.